

MICHAEL A. JACOBS (SBN 111664)
GRANT L. KIM (SBN 114989)
JASON A. CROTTY (SBN 196036)
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-7000
Facsimile: (415) 268-7522

Attorneys for Plaintiff

RICHARD J. COLLIER (SBN 88114)
TITCHELL, MALTZMAN, MARK & OHLEYER
A Professional Corporation
650 California Street, 25th Floor
San Francisco, California 94108
Telephone: (415) 392-5600
Facsimile: (415) 981-5027

DOUGLAS J. ROVENS (SBN 106582)
STEVEN A. LAMB (SBN 132534)
JOHN STEELE (SBN 179875)
ROVENS LAMB LLP
660 South Figueroa Street, Suite 1900
Los Angeles, California 90017
Telephone: (213) 895-4150
Facsimile: (213) 895-4155

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ARRIVA PHARMACEUTICALS, INC. fka
ALPHAONE PHARMACEUTICALS, INC., a
California corporation,

Plaintiff,

v.

SONORAN DESERT CHEMICALS, L.L.C., a
Nevada limited liability company; et al.,

Defendants.

No. C 99-2169-SI

**JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
CASE MANAGEMENT
CONFERENCE AND RESPONSE
TO COUNTERCLAIM**

Date: April 14, 2006
Time: 2:30 p.m.
Courtroom 10: Hon. Susan Illston

Plaintiff, Arriva Pharmaceuticals, Inc. fka AlphaOne Pharmaceuticals, Inc. (“Arriva”), and Defendants, Sonoran Desert Chemicals, L.L.C. (“Sonoran”) and John Lezdey (“Lezdey”), hereby submit this Joint Stipulation and Proposed Order regarding Case Management Conference and Response to Counterclaim. Sonoran and Lezdey have proposed that the Case Management Conference currently scheduled for April 14, 2006, be rescheduled for April 28, 2006, because the Florida court may issue its ruling on the post-trial motions in the related Florida litigation within this time frame, as those motions have been fully briefed, argued, and submitted for decision. Arriva does not oppose this request, provided that a related adjustment is made to the date for responding to the counterclaim of Sonoran and Lezdey. Accordingly,

IT IS HEREBY STIPULATED AND AGREED by and between the parties, through their counsel of record, and subject to the Court’s approval, that:

1. The Case Management Conference currently scheduled for April 14, 2006, shall be continued until April 28, 2006, at 2:30 p.m.;
2. The parties shall file a Joint Case Management Statement one week before the Case Management Conference; and
3. Defendants Arriva and Baxter shall respond to the counterclaim of Sonoran and Lezdey on or before April 14, 2006.

Dated: April 6, 2006

MICHAEL A. JACOBS
GRANT L. KIM
JASON A. CROTTY
MORRISON & FOERSTER LLP

By: s/ Grant L. Kim
Grant L. Kim

Attorneys for Plaintiff

1 Dated: April 6, 2006

2 RICHARD J. COLLIER
3 TITCHELL, MALTZMAN, MARK & OHLEYER

4 DOUGLAS J. ROVENS
5 STEVEN A. LAMB
6 JOHN STEELE
7 ROVENS LAMB LLP

8 By: s/ John Steele
9 John Steele

10 Attorneys for Defendants

11 I, Grant L. Kim, am the ECF User whose ID and password are being used to file this Joint
12 Stipulation and [Proposed] Order Regarding Case Management Conference and Response to
13 Counterclaim. In compliance with General Order 45, X.B., I hereby attest that John Steele has
14 concurred in this filing.

15 Dated: April 6, 2006

16 MORRISON & FOERSTER LLP

17 By: s/ Grant L. Kim
18 Grant L. Kim

19 Attorneys for Plaintiff

20 **[PROPOSED] ORDER**

21 PURSUANT TO THE PARTIES' JOINT STIPULATION, the Case Management
22 Conference is continued to ^{May 12} ~~April 28~~, 2006, at 2:30 p.m., and Defendants Arriva and Baxter shall
23 respond to the counterclaim of Sonoran and Lezdey on or before April 14, 2006.

24 Dated: April __, 2006

25
26 Honorable Susan Illston
27 United States District Court Judge
28